

BALTIMORE SUN

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Bring out CIA data or drop case, U.S. told

Washington (AP)—The perjury prosecution of Robert Berrellez, a corporation executive, came to an abrupt halt yesterday when a federal judge gave the government six days to decide which it wants more, a trial or the protection of Central Intelligence Agency secrets.

The judge, Aubrey E. Robinson, Jr., of the District Court, dismissed the jury of four men and eight women and gave federal prosecutors until Monday to decide whether to go forward with the case.

Mr. Berrellez, a 58-year-old public affairs officer and expert on Latin America for the International Telephone & Telegraph Company, is accused of lying to a Senate panel about attempts by I. T. T. and the CIA to stop Salvador Allende, a Marxist, from becoming president of Chile in 1970.

The government is charging that the corporation and the intelligence agency conspired to give false testimony about their activities in Chile.

The Berrellez case is one of a series in which the government has been faced with the delicate choice of going ahead with a prosecution while running the risk of disclosing secrets of intelligence gathering and covert activities.

Monday, for example, the Justice Department won permission to remove three acts from the conspiracy count of its charges against Mr. Berrellez.

One involved a meeting between an indicted co-conspirator in the case and Hernan Cubillos, a former Chilean newspaper executive who is now Chile's foreign minister.

Earlier the government excised a num-

ber of the counts in a perjury charge against another I. T. T. executive, also on grounds that presenting public testimony about them would expose national security secrets.

Last year a public perjury trial of Richard M. Helms, a former CIA director, was averted when he was permitted to plead no contest to a reduced charge of failing to tell the whole truth to a Senate Foreign Relations subcommittee investigating the conduct of U.S. multinational corporations.

Again the case revolved around testimony about the CIA, I. T. T. and the Chilean elections. Mr. Helms was subsequently fined \$2,000 and a two-year prison term was suspended.

In a separate but related development yesterday, federal Judge Barrington Parker refused for the second time to accept a Justice Department plea-bargaining agreement with the Westinghouse Electric Corporation to settle an overseas bribery charge without identifying the country or official allegedly bribed.

Judge Parker acted after reviewing secret information on the case. Westinghouse had agreed to plead guilty and pay a \$300,000 fine on 30 counts of making false statements to U.S. agencies that financed construction projects in the unidentified country.

French would cut guillotine

Paris (Reuter)—Two members of Parliament sought to end capital punishment in France yesterday by cutting funds for the maintenance of the guillotine, a move first tried 70 years ago.